

**Notice of Allowability**

Application No.

09/833,053

Examiner

Stella L. Woo

Applicant(s)

MCLEAN ET AL.

Art Unit

2643

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment file Dec 22, 2004.
2. ☒ The allowed claim(s) is/are 1 and 4-20.
3. ☒ The drawings filed on 22 December 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance             |
|   | 9. <input type="checkbox"/> Other _____   |

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Anthony Cho on March 29, 2005.

The application has been amended as follows:

This listing of claims will replace all prior versions and listings of claims in the application:

1. (Previously Presented) A modular air induction assembly comprising:
  - an air induction body;
  - an air filter operatively attached to said air induction body;
  - a speaker operatively attached to said air induction body;
  - at least one air inlet formed between said speaker and said air induction body to receive air; and
  - at least one channel between said air inlet and said air filter to permit air flow to said air filter, wherein said air induction body comprises a first portion housing said air filter and a second portion housing said speaker, said first portion selectively engageable to said second portion.

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2-3. (Cancelled)

4. (Previously Presented) The air induction system of claim 1 wherein said channel is at least partially formed by a channel body disposed in said air induction body.

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5. (Original) The air induction system of claim 4 wherein said channel body is a speaker housing.

6. (Original) The air induction system of claim 4 wherein said channel body is said air filter.

7. (Previously Presented) The air induction system of claim 4 wherein said channel body comprises said air filter and said speaker housing, said channel body having a guide surface between said speaker housing and said air filter for directing airflow continuously from said speaker housing to said air filter.

8. (Previously Presented) The air induction system of claim 1 further including a control unit in communication with said speaker to attenuate engine noise, said control unit mounted to said channel body.

9. (Original) The air induction system of claim 8 further including a sensor in communication with said control unit.

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10. (Previously Presented) The air induction system of claim 1 wherein said air induction body includes a connector for selectively engaging said first portion to said second portion.

11. (Previously Presented) A modular air induction assembly comprising:

- an air induction body;
- an air filter operatively attached to said air induction body;
- a speaker operatively attached to said air induction body;
- at least one air inlet formed between said speaker and said air induction body; and
- at least one channel between said air inlet and said air filter to permit air flow to said air filter, said air induction body selectively engageable to a throttle body by a connector.

12. (Original) The air induction system of claim 11 wherein said channel is at least partially formed by a channel body disposed in said air induction body.

13. (Original) The air induction system of claim 12 wherein said channel body is a speaker housing.

14. (Original) The air induction system of claim 12 wherein said channel body is said air filter.

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15. (Original) The air induction system of claim 12 wherein said channel body comprises said air filter and said speaker housing.

16. (Original) The air induction system of claim 11 further including a control unit in communication with said speaker to attenuate engine noise.

17. (Previously Presented) The air induction system of claim 11 wherein said connection comprises a sleeve.

18. (Previously Presented) The air induction system of claim 11 wherein said air induction body comprises at least a first portion and a second portion, said first portion selectively engageable to said second portion.

19. (Previously Presented) A method of assembling an air induction system comprising:  
providing an air flow body;  
attaching a speaker to the air flow body;  
attaching an air filter to the air flow body to form a modular combination; and  
then assembling the modular combination of air flow body, speaker, and air filter into a vehicle by inserting the air flow body into a sleeve sized to receive said air flow body.

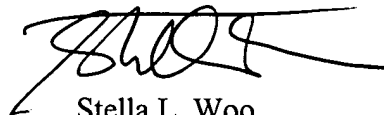
20. (Original) The method of claim 19 further including the step of disassembling the modular combination for service.

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2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stella L. Woo whose telephone number is (571) 272-7512. The examiner can normally be reached on Monday-Tuesday, Thursday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Stella L. Woo  
Primary Examiner  
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